

WALKER REALTY LLC

March 4, 2015

Zoning Board of Appeals
Town of Acton
472 Main Street
Acton, MA 01720

Dear Members of the Board,

Please allow this letter to serve as a follow up to the remand hearing held at 7:00 p.m. on March 2, 2015 (the "Remand Hearing"). During the course of the Remand Hearing, significant focus was placed on the size of the proposed daycare facility. As noted at the hearing, the Applicant is proposing plan modifications to further mitigate the Town's traffic concerns and landscaping modifications to address the Town's stated concerns pertaining to visual aesthetics.

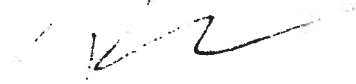
However, as discussed at the Remand Hearing, the Applicant has not proposed to reduce the size of the daycare facility. It was suggested by some members of the Board that it would be appropriate to reduce the facility to a size consistent with the Natick Next Generation facility. Unfortunately, such a reduction is not feasible. Substantial time was spent at the May, 2014 trial of this matter with regards to the multitude of reasons that the Next Generation facility requires the square footage proposed in this site plan. It should also be noted that the Natick facility was the earliest Next Generation facility and its size and style are true outliers in the Next Generation family. Significantly, the Natick facility was an existing structure that Next Generation leased in or around 1993. It was not built from the ground up specifically for Next Generation, as the later facilities have been and despite the fact that an addition has been put on to the Natick facility, the relatively small size has created a less-than-desirable operating situation.

Since Next Generation started operations in 1993, Next Generation's business has grown, the applicable Massachusetts regulations have become more demanding, and its business model has become firmly established. As discussed during trial, Next Generation prides itself on being able to offer comfortable, safe and unique daycare and preschool accommodations with amenities that other similar competitors are unable to meet. Part of that model includes providing space in excess of what the state minimum requirements are for square footage per child, which the judge found commendable. It is important to note that a Next Generation facility is designed to service infants and toddlers, as well as preschoolers. Separate, comfortably sized rooms are provided for each age group. This is designed to provide a unique and safe educational experience for the children and infants. Crib rooms are designated in each facility and classrooms are provided for older students. Play areas are designed to be spacious for both comfort and safety. Separate laundry facilities are available on site which is a necessary amenity for the Next Generation model given its infant and toddler base. Outdoor play areas are commensurate in size with the projected enrollment and again, are designed as much for safety as for comfort. Next Generation must also consider additional costs such as land cost when determining what size a proposed facility will be. Taking all these factors together, Next Generation has determined that the current proposal would not be economically feasible if it is reduced in size. While the Applicant has a stated willingness to make alterations to further

address the Town's stated concerns, unfortunately, for reasons stated above, a reduction in the facility size is not viable for Next Generation.

We are confident that this facility as proposed will be an asset to the Acton community in the same way that Next Generation's ten (10) other facilities have become in their respective communities. Thank you for your time and consideration.

Walker Realty, LLC

A handwritten signature in black ink, appearing to read 'Robert A. Walker', is written over a faint, dotted line.

Robert A. Walker, Manager